

## Commonwealth of Massachusetts

BERKSHIRE, ss.

FILED  
SUPERIOR COURT  
CIVIL ACTION

No. \_\_\_\_\_

Michael A. Deep

U.S. DISTRICT COURT  
DISTRICT OF MASS.

v.  
City of North Adams; John Barrett, Mayor; North Adams Planning Board  
Michael Leary; Paul Hopkins; William Schrade; Joseph Gniadek; Paul  
Senecal; David Babcock; Edna Rudnick; Kyle Hanlon; \_\_\_\_\_, Defendant(s)  
& Wayne Wilkinson as Members of the North Adams Planning Board; and  
Katherine Eade, Administrative Officer of the City of North Adams.

## SUMMONS

To the above-named Defendant: Paul Hopkins

You are hereby summoned and required to serve upon Fred T. Thompson

plaintiff's attorney, whose address is 66 Summer St., North Adams, MA 01247.

\_\_\_\_\_, an answer to  
the complaint which is herewith served upon you, within 20 days after service of this summons upon  
you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you  
for the relief demanded in the complaint. You are also required to file your answer to the complaint in  
the office of the Clerk of this court at Pittsfield either before service upon plaintiff's attorney or with-  
in a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim  
which you may have against the plaintiff which arises out of the transaction or occurrence that is the  
subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any  
other action.

Witness, ROBERT L. STEADMAN, Esquire at Pittsfield, the 1st day  
of April, in the year of our Lord ~~one thousand nine hundred and~~ two thousand four.

*Richard S. Capen*  
CLERK.

## NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.
3. TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED  
(1) — TORT — (2) MOTOR VEHICLE TORT — (3) CONTRACT — (4) — EQUITABLE RELIEF — (5) — OTHER

NOTICE TO DEFENDANT—You need not appear personally in court to answer the complaint, but if you claim to have a defense, either you or your attorney must serve a copy of your written answer within 20 days as specified herein and also file the original in the Clerk's Office.

PROOF OF SERVICE OF PROCESS



**Berkshire County Sheriff's Office • Judicial Process Division**

467 Cheshire Rd. • Pittsfield, MA 01201 • (413) 443-6841

April 14, 2004

I hereby certify and return that on 4/12/2004 at 6:00PM I served a true and attested copy of the Summons & Verified Complaint in this action in the following manner: To wit, by delivering in hand to Paul Hopkins at 10 Main Street, North Adams, MA 01247 .Attestation (\$5.00), Conveyance (\$4.50), Postage & Handling (\$1.00), Service Fee (\$30.00), Travel (\$20.48) Total Charges \$60.98

Deputy Sheriff, Ronald P. Clark

Deputy Sheriff

PLEASE PLACE DATE YOU MADE SERVICE ON DEFENDANT IN  
THIS BOX **ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.**

\_\_\_\_\_, 19 \_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss.

SUPERIOR COURT  
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.....Michael A. Deep....., Plff(s).

City of North Adams, John Barrett, Mayor; North Adams Planning Board; Michael Leary; Paul Hopkins; William Schrade; Joseph Gniadek; Paul Senecal; David Babcock; Edna Rudnick; Kyle Hanlon & Wayne Wilkinson as Members....., Deft(s).  
of the North Adams Planning Board, & Katherine Eade,  
Administrative Officer of the City of North Adams.

SUMMONS

(Mass. R. Civ. P. 4)